

November 28, 2005

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC

Re: WC Dockets 04-36 and 05-196; Letter of E911 Compliance November 28, 2005

Dear Ms. Dortch:

Attached please find our Letter confirming E911 Compliance for Bresnan Communications, LLC. Please feel free to contact me with any questions.

Best regards,

S/Jerold C. Lambert
Associate General Counsel

Enclosure

Bresnan Communications, LLC
E911 Compliance Letter
WC Dockets 04-36 and 05-196

Bresnan Communications, LLC, submits the following Compliance Letter on behalf of itself and its state operating affiliates (collectively, “Bresnan or Bresnan Broadband, LLC”). Bresnan Broadband, LLC consists of wholly owned subsidiaries of Bresnan Communications, LLC, a cable television MSO. Bresnan Digital Phone offers voice communications services using a Voice over Internet Protocol (“VoIP”) platform based on the DOCSIS-compliant packet cable technology.

Following are Bresnan Communications’ responses to the Section 9.5 E911 Service Compliance Letter items that must be included in this Letter as set forth in the FCC’s E911 Order.

§ 9.5 E911 Service.

(a) Scope of Section. The following requirements are only applicable to providers of interconnected VoIP services. Further, the following requirements apply only to 911 calls placed by users whose Registered Location is in a geographic area served by a Wireline E911 Network (which, as defined in Section 9.3, includes a selective router).

No response required

(b) E911 Service. As of [120 days after the effective date of the Order]:

(1) Interconnected VoIP service providers must, as a condition of providing service to a consumer, provide that consumer with E911 service as described in this section;

(2) Interconnected VoIP service providers must transmit all 911 calls, as well as ANI and the caller’s Registered Location for each call, to the PSAP, designated statewide default answering point, or appropriate local emergency authority that serves the caller’s Registered Location and that has been designated for telecommunications carriers pursuant to section 64.3001 of this chapter, provided that “all 911 calls” is defined as “any voice communication initiated by an interconnected VoIP user dialing 911”;

(3) All 911 calls must be routed through the use of ANI and, if necessary, pseudo-ANI, via the dedicated Wireline E911 Network; and

(4) The Registered Location must be available to the appropriate PSAP, designated statewide default answering point, or appropriate local emergency authority from or through the appropriate automatic location information (ALI) database.

Bresnan Communications is in compliance with each of the 4 E911 Service requirements above.

(c) Service Level Obligation. Notwithstanding the provisions in paragraph (b) of this section, if a PSAP, designated statewide default answering point, or appropriate local emergency authority is not capable of receiving and processing either ANI or location information, an interconnected VoIP service provider need not provide such ANI or location information; however, nothing in this paragraph affects the obligation under paragraph (b) of an interconnected VoIP service provider to transmit via the Wireline E911 Network all 911 calls to the PSAP, designated statewide default answering point, or appropriate local emergency authority that serves the caller's Registered Location and that has been designated for telecommunications carriers pursuant to section 64.3001 of this chapter.

Bresnan Communications is in compliance with this section consistent with the limitations set forth in the above paragraph (c).

(d) Registered Location Requirement. As of [120 days after the effective date of the Order], interconnected VoIP service providers must:

- (1) Obtain from each customer, prior to the initiation of service, the physical location at which the service will first be utilized; and
- (2) Provide their end users one or more methods of updating their Registered Location, including at least one option that requires use only of the CPE necessary to access the interconnected VoIP service. Any method utilized must allow an end user to update the Registered Location at will and in a timely manner.

Bresnan Communications is in compliance with paragraph (d) (1) above. Bresnan does not offer a portable or nomadic voice service and therefore does not permit its subscribers to move the service from location to location.

(e) Customer Notification. Each interconnected VoIP service provider shall:

- (1) Specifically advise every subscriber, both new and existing, prominently and in plain language, of the circumstances under which E911 service may not be available through the interconnected VoIP service or may be in some way limited by comparison to traditional E911 service. Such circumstances include, but are not limited to, relocation of the end user's IP-compatible CPE, use by the end user of a non-native telephone number, broadband connection failure, loss of electrical power, and delays that may occur in making a Registered Location available in or through the ALI database;
- (2) Obtain and keep a record of affirmative acknowledgement by every subscriber, both new and existing, of having received and understood the advisory described in subparagraph (1); and

(3) Distribute to its existing subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on or near the equipment used in conjunction with the interconnected VoIP service. Each interconnected VoIP provider shall distribute such warning stickers or other appropriate labels to each new subscriber prior to the initiation of that subscriber's service.

Bresnan Communications is in compliance with the above paragraph (e)(1)(2)(3). Bresnan Communications has provided the required notice and stickers to each and every one of its digital phone subscribers. Bresnan has exhausted its resources to obtain acknowledgments from each of its noticed subscribers. The methods used include outbound calling, business reply cards, and third party calling services, web notice, and even several voice mail blasts. We have even included the notice language in every subscriber bill asking for acknowledgement. As of this letter, Bresnan has more than 85% acknowledgements. We are convinced that our customers understand the service differences and limitations.

(f) Compliance Letter. All interconnected VoIP providers must submit a letter to the Commission detailing their compliance with this section no later than [120 days after the effective date of this Order].

Bresnan Communications submits these responses as its Compliance Letter in accordance with paragraph (f) above.

If you have questions or comments, please let me know.

Regards,

S/ Jerold C. Lambert
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